

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,

Plaintiff,

V.

JAMES E. PERKINS,

Defendant.

CASE NO. 1:05-CR-135-JG-1

OPINION & ORDER
[Resolving [Doc. No. 54.](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Defendant James E. Perkins, sentenced to 20 years imprisonment in August 2005 for a crack-related offense, moves this Court to reconsider its marginal denial of his sentence-reduction motion.

[Doc. 54.]

A large number of defendants sentenced for crack-related offenses before the federal Sentencing Guidelines adopted crack-powder parity may be eligible for reductions to their sentences. To manage this potentially large number of motions effectively, the Court will not consider a defendant's motion to reduce his sentence on this basis until he would be nearly eligible for release if he had been sentenced under the new Guidelines. The Court has arranged for the Office of the Federal Public Defender to monitor the remaining sentences of potentially eligible defendants and to assist with the preparation of their sentence-reduction motions when they become timely.

In this case, the Court has appointed the Federal Public Defender as counsel for Perkins's sentence-reduction motion. [Doc. 49.] But Perkins's present motion is untimely because even if

Case No. 1:05-CR-135-JG-1
Gwin, J.

Perkins were eligible for a sentence reduction, he would not be eligible for release for several more years.

Thus, the Court **DENIES** Perkins's motion for reconsideration.

IT IS SO ORDERED.

Dated: March 5, 2010

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE